

March 7, 2010

Education Committee
Connecticut State Legislature

Dear Esteemed Education Committee Members,

I am a mother of two children. My youngest who just turned 6 years old has been diagnosed with PDD NOS which is on the Autism Spectrum. Before you are choices to enhance or negatively impact the lives of children with special needs. Please ensure that school districts provide a free appropriate education for those with disabilities. You are in fact the only body that can ensure that these children are protected.

I strongly support Section 2 in this Bill. Applied Behavioral Analysis is the only protocol deemed effective in enhancing outcomes in autism as evidenced by data collection and peer reviewed studies. Having a BCBA in charge of children's autism cases is the only way to ensure that qualified professionals in the protocol are treating our children. Without your insistence that a BCBA run these cases, I fear that school districts will employ those with random qualifications that are not suitable to run autism cases. I've seen this happen and can only hope that you set a standard that will stop practices that are ineffective for our kids. The only way to assure that this doesn't happen is to require that a BCBA be in charge of any child who meets the requirements for such supervision on their IEP.

I strongly oppose Section 3 in this Bill. The burden of proof is something that should be placed with the school district. The school district has lawyers on retainer and can spend taxpayer money to defend itself. Parents have to exhaust their own funds which is difficult for many and you will make it more difficult if this legislation passes. I ask you to think about who you are protecting here? I hope that you answer the children with special needs. The school districts can stop parents from filing due process if they provide adequate programming for our kids. As someone who has been through this very difficult process, it is not something any parent wants but something as a parent you feel compelled to do when the treatment your child receives is so grossly inadequate.

School Districts are lobbying you hard to shift the burden of proof because they are facing shrinking budgets. However, these shrinking budgets are the very reason you should vote to keep the burden of proof with the school districts. Shrinking budgets mean Special Needs Programs are being cut further and with those cuts often comes inadequate programming for our children. Inadequate programming for a special needs child is not just losing some time but can mean the difference of living independently or being able to seek employment some day. For other Special Needs children the difference in programming is them excelling in the academic arena and attending college. The stakes are very high for our kids and our state if you get this wrong. There are other programs school districts can cut in these tough economic times. Don't let the cuts come at the expense of those that need the most help.

The only protection our Special Needs children have are what you vote for. I am convinced that Special Needs Education is the Civil Rights Issue of our time. Does a small minority of children deserve to be taught with research based protocols that are proven to work for them or not? The lack of understanding of our own school administrators is astonishing so as with all civil rights cases it is only the legislature that can enforce laws that protect the minority. Please do your civic duty and protect the most vulnerable in our society during the most challenged of economic times. Protecting those that can't protect themselves is why I imagine many of you got into public service. I plead with you to adhere to this higher calling and protect the most vulnerable children in Connecticut!

Thank you,

Mary Dougherty
Ridgefield, CT